



**Surfrider
Foundation**

September 5, 2003

Mr. Gerald Thibeault
Executive Officer
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501

Subject: NPDES permit for Orange County, Order No. 01-20 (NPDES No. CAS 618030), County's DAMP Section 7 and WQMP

Dear Mr. Thibeault:

On behalf of Surfrider Foundation and our 37,000 members, including approximately 3,000 members, 4 chapters and our national headquarters in Orange County, we wish to submit the following comments on the County of Orange's submittal of a proposed program regarding new development and redevelopment (DAMP Section 7) and the associated Water Quality Management Plan (WQMP).

Surfrider Foundation joins other environmental organizations, major newspapers (Los Angeles Times articles on August 22 and 23, editorial on August 31, 2003) and the general public in protesting the County's lack of inclusion of the environmental community on the task force charged with developing documents designed to reduce urban runoff pollution from new developments as well as redeveloped areas. In reviewing the proposed DAMP Section 7 and WQMP, it is clear that the county utilized essentially the same task force that was utilized in 1993 to develop guidelines under previous versions of the NPDES permit. Although it should have been clear from the tone and text of the latest NPDES permit issued in January 2002 that "business as usual" would no longer be adequate to comply with the permit and address serious water quality problems, the County has failed to get the message. Not only has this resulted, predictably, in an inadequate submission that fails to meet the basic requirements of the permit, the failure to include an adequate number of representatives of the environmental community in the task force violates permit requirements to obtain public input.

We agree with essentially all of RWQCB staff's comments in their letter dated May 21, 2003 on the County's draft submittal of February 28, 2003. We were disappointed that many of the RWQCB staff's comments were still inadequately addressed in the latest submittal by the County dated July 22, 2003. Following that submittal, RWQCB staff has done an impressive job of detailing specific proposed changes to DAMP Section 7

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and the WQMP. Surfrider Foundation agrees with nearly all of these proposed changes, with the exception of the following:

- DAMP page 7-25, Table 7-1. We see no reason to have a different, more permissive definition for priority project categories for the "Santa Ana Region" of Orange County as opposed to the "San Diego Region" of the county.

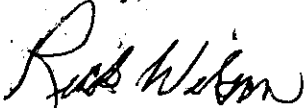
Accordingly, we believe that the countywide definitions of a priority project should include "Hillside development greater than 5,000 square feet" and "Streets, roads, highways, and freeways which would create a new paved surface that is 5,000 square feet or greater."

- WQMP page 7.II-2, Table 7.II-1. Same comments as above.

We recommend that the Santa Ana RWQCB incorporate these changes, as well as the entirety of the "Changes Proposed by Staff to the July 22, 2003 Revised Draft Documents" into DAMP Section 7 and the WQMP before these documents are adopted.

We further request that the RWQCB ensure that the County of Orange comply with the permit conditions that direct the County to obtain public input for proposed management and implementation plans. Surfrider Foundation wished to be part of that public input process.

Sincerely,



Rick Wilson, P.E.
Coastal Management Coordinator
Surfrider Foundation



Don Schulz
Huntington/Seal Beach Chapter
Surfrider Foundation

Cc: Mark Smythe, Santa Ana Regional Water Quality Control Board